

September 16, 2025

The Hon. Eric Burlison
Chairman
Economic Growth, Energy Policy,
and Regulatory Affairs Subcommittee
Committee on Oversight and
Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

The Hon. Maxwell Frost
Ranking Member
Economic Growth, Energy Policy,
and Regulatory Affairs Subcommittee
Committee on Oversight and
Government Reform
2106 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Burlison and Ranking Member Frost:

Americans United for Separation of Church and State submits this letter for the September 17, 2025, hearing titled, "Opening Doors to Opportunity: The Promise of Expanded School Choice and Alternatives to Four-Year College Degrees."

Under the euphemism of "school choice," unpopular voucher programs funnel taxpayer funds away from our public schools to pay for private school tuition for a small number of predominantly wealthy families. The rest of our students are left behind to choose, if they have any choice at all, between weakened public schools and low-quality private schools.

Private school vouchers do not work. They undermine public schools, fail to improve student achievement, funnel resources to private schools without any accountability, fund discrimination, and violate religious freedom.

Public schools serve nearly 90% of America's schoolchildren. They are vital to our children, our communities, our workforce, our society, and our democracy. Taxpayer funds should go to strengthening public schools that are open to all children, not subsidizing schools that only serve a few.

Americans United for Separation of Church and State

With a national network of more than 380,000 supporters, Americans United for Separation of Church and State is a nonpartisan educational and advocacy organization that brings together people of all religions and none to safeguard the fundamental American principle of the separation of church and state. We protect the right of everyone to practice the religion of their choice or no religion at all, so long as it does not harm others. Since our founding in 1947, we have fought to ensure that public funds go to public schools, not to private or religious schools through vouchers or other schemes, because they violate religious freedom and undermine public schools.

Public Schools Are the Cornerstone of American Democracy

Education is essential to preparing our children for happy and fulfilling lives and careers. It is also critical to a functioning democracy. Public schools improve our communities, reduce inequalities, and forge common experiences.



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While our public schools are far from desegregated, our public school system is one of the institutions where we are most likely to encounter, interact with, and get to know people of different races, religions, abilities, and socio-economic backgrounds. Our public schools are subject to civil rights laws that protect students and teachers from discrimination. They include programs and protections for students with disabilities. They must adhere to teacher and curriculum standards. And, they are secular and welcoming to students of all religions and none.

Public schools are not infallible. They face enormous challenges, including systematic racism, inequality, and underfunding. But subsidizing private schools with taxpayer-funded vouchers won't fix these challenges—instead, they exacerbate them.

Public Schools Are Under Attack

Anti-public-school groups, Christian Nationalists, and their political allies are engaging in a relentless campaign to undermine, defund, and replace public schools. They have created false controversies over books, curricula, and policies to sow distrust in our public schools, in order to push for radical changes to our education system.

Attacks on public schools aren't new. Jerry Falwell, the televangelist and conservative activist, wrote back in 1979 that he “hope[d] to see the day when . . . we don't have public schools. The churches will have taken them over and Christians will be running them.”¹ Activists including Christopher Rufo and the Heritage Foundation (the conservative think tank behind Project 2025) are taking up this mantle.²

Alongside voucher programs, anti-public school advocates have promoted a range of other policies aimed at shifting funds away from the public school system, including dramatically shrinking the U.S. Department of Education—a move that will devastate the nation's most vulnerable students³—and promoting the extreme notion of religious public charter schools.

In May, an equally divided Supreme Court blocked an attempt to create a religious charter school in Oklahoma in the case *St. Isidore of Seville Catholic Virtual School v. Drummond*.⁴ Religious charter schools would threaten the basic principles that public schools are secular and serve all students. While charter schools, like other public schools, must accept all students and may not be run as religious schools, St. Isidore would have been operated as a Catholic school, integrating religious doctrine and beliefs into all subjects and maintaining policies and practices that discriminate in student admissions,

¹ Jerry Falwell, *America Can Be Saved!* (1979).

² Anti-public school activist Christopher Rufo—a leader in the fight to illegally shut down the Department of Education—has manufactured attacks on public schools curriculums as part of “a strategy of laying siege to the institutions” that will lead to parents having “a fundamental right to exit” public schools. Josie Ensor, [He Is America's 'Most Effective Conservative'. This Is His Blueprint for Trump](#), *The Times* (Dec. 5, 2024); Michelle Goldberg, [Democrats Desperately Need Public Schools to Get Back to Normal](#), *Baltimore Sun* (Nov. 9, 2021). The Heritage Foundation has repeatedly published reports urging voucher advocates to “emphasize cultural problems” in public schools and offer vouchers as a solution. See, e.g., Jay Greene & James Paul, [Time for the School Choice Movement to Embrace the Culture War](#), *Heritage Found.* (Feb. 9, 2022); Inez Feltscher Stepman, *School Choice: Parents' Most Powerful Tool for Defeating Critical Race Theory*, in [The Critical Classroom: How Critical Race Theory Undermines Academic Excellence & Individual Agency in Education](#) *Heritage Found.* 227-35 (Lindsey M. Burke et al., eds., 2022).

³ Dana Goldstein & Michael C. Bender, [What a Smaller Education Department Is Doing Under Trump](#), *N.Y. Times* (July 14, 2025).

⁴ 605 U.S. 165 (2025), *affirming by equally divided court*, 558 P.2d 1 (Okla. 2024) (holding creation of religious public charter school clearly violated state and federal constitutions).

student discipline, and employment based on religion, sexual orientation, gender identity, or disability.⁵ St. Isidore's attempt was decisively rejected by the Oklahoma Supreme Court, but we expect the push to turn religious schools into public charter schools will continue.

These efforts are also part of a plan to use the government to impose one narrow view of religion on all of our children and undermine the foundational principle of church-state separation. It's no surprise that many of the same groups seeking to fund religious education are also pushing laws and policies to require Bibles and the display of the Ten Commandments in public school classrooms;⁶ instill religion and promote Christianity in public school curriculum standards;⁷ put chaplains in public schools;⁸ and encourage teachers to pray with public school students.⁹

Religious freedom means that students and their families—not politicians or school officials—should make their own decisions about matters of faith. No student should face indoctrination as a requirement of getting an education funded by the government. That's a critical reason why public schools are open and welcoming to all students.

⁵ [*OKPLAC, Inc. v. Statewide Charter School Board*](#), No. CV-2023-1857 (Okla. Dist. Ct., Okla. Cnty., filed July 31, 2023), a parallel case filed by faith leaders, public-school parents, and public education advocates, in Oklahoma state court, also included arguments concerning St. Isidore's discrimination against students and families and the school's treatment of students with disabilities. The plaintiffs were represented by Americans United for Separation of Church and State, the ACLU, Education Law Center, and Freedom From Religion Foundation, along with local counsel Benjamin H. Odom, John H. Sparks, Michael W. Ridgeway, and Lisa M. Mason of Odom & Sparks; and J. Douglas Mann. Following the U.S. Supreme Court decision in *Drummond*, the faith leaders, parents, and advocates dismissed the lawsuit.

⁶ Longstanding Supreme Court precedent establishes that displaying the Ten Commandments in public schools is unconstitutional under the First Amendment. *Stone v. Graham*, 449 U.S. 39, 41 (1980) (per curiam). Despite this clear prohibition, three states (Louisiana, Arkansas, and Texas) have enacted legislation to require the display of the religious text in public schools. A unanimous Fifth Circuit panel and federal district courts in Arkansas and Texas declared all three laws unconstitutional. *Roake v. Brumley*, 141 F.4th 614 (5th Cir. 2025); *Nathan v. Alamo Heights Indep. Sch. Dist.*, No. SA-25-CV-00756-FB, 2025 WL 2417589 (W.D. Tex. Aug. 20, 2025); *Stinson v. Fayetteville Sch. Dist. No. 1*, No. 5:25-CV-5127, 2025 WL 2231053 (W.D. Ark. Aug. 4, 2025).

⁷ See, e.g., Letter from Interfaith Communities and Religious Freedom Organizations to Oklahoma Superintendent Ryan Walters and Oklahoma State Board of Education re: [Interfaith Communities and Religious Freedom Advocates Oppose Inappropriate Promotion of Christianity in Oklahoma's Revised Social Studies Standards](#) (Feb. 25, 2025); Letter from Religious Freedom and Civil Rights Organizations to Texas superintendents and school board members re: [Schools Must Reject the Texas Open Education Resources Proposed Bluebonnet Curriculum for K-5 Reading Language Arts](#) (Jan. 30, 2025); see also *Randall v. Walters*, No. 123,237 (Okla., Sept. 15, 2025) (issuing temporary stay of Oklahoma's proposed Bible-infused social studies curriculum).

⁸ Repeatedly, school districts given the choice of adopting this policy have rejected it. For instance, in Texas, many school districts rejected the idea of chaplain policies—25 of the largest school districts in the state, which educate one-third of all students in Texas, voted against creating a chaplain program. Briget Grumet, [The Surprising Result of Chaplain Law? Texas Public Schools Sent a Message](#), *Austin American-Statesman* (Mar. 4, 2024). Likewise, in Florida, more than half a dozen districts have considered and voted against volunteer chaplain programs. [Marion School Board Denies Policy to Bring Chaplains to Campuses](#), *Ocala News* (Dec. 12, 2024).

⁹ In *Kennedy v. Bremerton School District*, 597 U.S. 507 (2022), the Supreme Court reaffirmed the principle that public school employees cannot coerce students to pray with them. Despite this clear constitutional prohibition, advocates have attempted to use this decision to allow public school employees to engage in prayer in the classroom and throughout the school day.

Private School Vouchers Are Supported by Billionaire Interests, Not the Public

Voters across the country have consistently opposed private school vouchers, voting down ballot measures every time they've been on the ballot—seventeen times. In 2024, voters in Kentucky, Nebraska, and Colorado rejected voucher ballot measures. Even in many of the reddest counties in Kentucky and Nebraska, voters resoundingly opposed vouchers.¹⁰

But the number of states adopting or expanding voucher programs continues to grow thanks to widespread lobbying and political campaigning by anti-public education organizations. State lawmakers who remain skeptical of voucher bills find themselves facing well-funded primary challenges from pro-voucher candidates¹¹ and threats from pro-voucher governors.¹² These campaigns are bankrolled by billionaire donors like the Kochs, the Waltons, and the DeVoses. Their organizations, like Americans for Prosperity, American Federation for Children, the Heritage Foundation, the Bradley Foundation, and others, are pouring hundreds of millions of dollars into lobbyists' and politicians' coffers.¹³ When their chosen candidates win control, private school vouchers are at the top of their agenda, even though communities and parents oppose these harmful proposals.

Private School Vouchers Are Ineffective

Private school vouchers fail to achieve their most basic goal: improving educational outcomes. Large-scale studies show students using vouchers perform *worse* academically than their peers who are not in the voucher program.¹⁴ The impact of vouchers in Ohio¹⁵ and Louisiana¹⁶ caused a larger reduction in students' math scores than those caused by the COVID pandemic.¹⁷ Voucher programs in D.C.¹⁸ and Indiana¹⁹ caused devastating decreases in math scores, on par with the learning loss inflicted on

¹⁰ Eli Hager & Jeremy Schwartz, [Despite Trump's Win, School Vouchers Were Again Rejected by Majorities of Voters](#), *ProPublica* (Nov. 9, 2024).

¹¹ For example in 2024, "national pro-voucher advocates . . . spent more than \$4.5 million in Tennessee's primary election to defend and elect legislative candidates they claim will support school choice proposals. . . . [A]t least \$14.8 million was spent by similar advocacy groups in the Texas primary election earlier in May to oust and replace voucher opponents." Kimberlee Kreusi, [Millions of Campaign Dollars Aimed at Tilting School Voucher Battle Are Flowing Into State Races](#), *AP* (Aug. 13, 2024). As a result, Tennessee enacted a universal voucher program in 2025 following years of legislative defeats. Sarah Grace Taylor, [Lee Wins Long-Sought Universal School Voucher Plan in Tennessee](#), *Nashville Banner* (Jan. 31, 2025) ("After a six-year struggle and millions of dollars in campaigning from outside groups," the Tennessee General Assembly passed a voucher bill).

¹² See, e.g., Karen Brooks Harper, [School Voucher Supporters Bask in Primary Wins, Say Goals Are Within Reach](#), *Tex. Trib.* (Mar. 6, 2024).

¹³ Nina Mast, [State and Local Experience Proves School Vouchers are a Failed Policy That Must be Opposed](#), *Econ. Policy Inst.* (Apr. 20, 2023).

¹⁴ Ctr. for Evaluation & Educ. Policy, [Evolving Evidence on School Voucher Effects](#), *Ind. U. Sch. of Educ.* (Nov. 2022); see generally Nat'l Coalition for Public Educ., [Studies & Reports](#).

¹⁵ David Figlio & Krzysztof Karbownik, [Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, & Performance Effects](#), *Thomas B. Fordham Inst.*, 2 (2016).

¹⁶ Jonathan Mills & Patrick Wolf, [The Effects of the La. Scholarship Program on Student Achievement after Four Years](#) 4 (EDRE Working Paper No. 2019-10, May 10, 2019).

¹⁷ Nat'l Coalition for Pub. Educ., [Voucher Impacts on Academic Achievement](#).

¹⁸ U.S. Dep't of Educ., [Evaluation of the D.C. Opportunity Scholarship Program: Impacts Two Years After Students Applied](#) (June 2018) (2018 D.C. Study).

¹⁹ R. Joseph Waddington & Mark Berends, [Impact of the Indiana Choice Scholarship Program: Achievement Effects for Students in Upper Elementary & Middle School](#), 37 *J. Policy Analysis & Mgmt.* 4, 738-808 (Aug. 2018).

students by Hurricane Katrina. Likewise, studies have also found that voucher programs do not improve, and many cases hurt, students' reading scores.²⁰

Voucher programs also provide fewer educational resources than public schools. U.S. Department of Education studies of the federally funded D.C. voucher program show that students participating in the program are less likely to have access to key services such as English Learner programs, learner supports, supports and services for students with disabilities, and counselors than students who are not part of the program.²¹ Likewise, a survey of the private schools in Milwaukee's voucher program found that nearly 35% reported offering no art, music, physical education, library, or technology specialist teachers.²²

Private School Vouchers Are Financially Irresponsible

1. Vouchers Invite Waste, Fraud, and Abuse

Private school voucher programs lack basic oversight and accountability to the taxpayers. Many voucher schools are permitted to take taxpayer money without implementing any standards for financial accountability, teacher qualifications, testing, or achievement. Some state voucher programs do not require teachers to hold a bachelor's degree.²³ In addition, many states do not require accreditation for private schools, thus, taxpayer-funded vouchers are regularly used to pay for tuition at unaccredited schools.²⁴

Even when voucher programs require minimal standards by law, the programs often fail to enforce them. For example, U.S. Government Accountability Office reports document how the administrator of the D.C. voucher program has repeatedly failed to meet even the most basic, statutorily required accountability standards, such as verifying certificates of occupancy and adequate financial records.²⁵ Some states with large voucher programs do not conduct any ongoing monitoring of private voucher schools.²⁶ This lack of accountability and oversight makes voucher programs a ripe target for waste, fraud, and abuse—and the examples are many. In Florida, voucher schools took millions in public funds

²⁰ See, e.g., Florida State University, [Evaluation of the Florida Tax Credit Scholarship Program Participation, Compliance and Test Scores in 2018-19](#) (June 2020) (finding no gains in reading test scores for Florida program); U.S. Dep't of Educ., [Evaluation of the DC Opportunity Scholarship Program: Impacts Three Years After Students Applied](#) 4 (May 2019) (finding D.C. voucher program has no impact on student achievement in reading); 2018 D.C. Study 19 (finding negative impacts of D.C. voucher program on student reading scores); Economic Research Alliance for New Orleans, [How Has the Louisiana Scholarship Program Affected Students?](#) 4 (Feb. 2016) (finding negative affect in Louisiana); see also Ulrich Boser et al., [The Highly Negative Impacts of Vouchers](#), *Center for American Progress* (Mar. 20, 2018).

²¹ U.S. Dep't of Ed., *Evaluation of the D.C. Scholarship Program: Final Report* at 20 (June 2010); U.S. Dep't of Ed., *Evaluation of the D.C. Scholarship Program: Impact After 3 Years* at xxii, 17 (Apr. 2009); U.S. Dep't of Ed., *Evaluation of the D.C. Scholarship Program: Impact After 2 Years* at xviii, 16 (June 2008).

²² Erin Richards, [Report: Choice Schools Lack Specialty Teachers](#), *Milwaukee J. Sent.* (Feb. 13, 2013).

²³ U.S. Gov't Accountability Off., [Private School Choice Programs Are Growing and Can Complicate Providing Certain Federally Funded Servs. to Eligible Students](#), Pub. No. GAO-16-712, 24 (2016).

²⁴ See, e.g., Eli Hager, [Arizona Regulators Closed a Failing Charter School. It Reopened as a Private Religious School Funded by Taxpayers](#), *ProPublica* (Dec. 31, 2024).

²⁵ U.S. Gov't Accountability Off., [District of Columbia Opportunity Scholarship Program: Actions Needed to Address Weaknesses in Admin. & Oversight](#), Pub. No. GAO-13-805 (Nov. 2013); U.S. Gov't Accountability Off., [District of Columbia Opportunity Scholarship Program: Additional Policies & Procedures Would Improve Internal Controls & Program Operations](#), Pub. No. GAO-08-9 at 26 (Nov. 2007).

²⁶ U.S. Gov't Accountability Off., [Private School Choice: Accountability in State Tax Credit Scholarship Programs](#), Pub. No. GAO-19-664 (Sept. 2019).

for students not even attending those schools.²⁷ In Wisconsin, the voucher program paid \$139 million to schools that failed to meet the state's requirements for operation.²⁸ In North Carolina, an investigation found that the state lost approximately \$2.3 million to fraud by sending voucher funds to private schools to pay for students who don't exist and private schools that were actually closed.²⁹ And, in South Carolina, around \$1.5 million in taxpayer dollars were given to families of students who were ineligible for the state voucher program—about one in three students enrolled in the program were removed after initial payments were made.³⁰

The lack of oversight also results in wasting taxpayer funds on frivolous items not directly related to educational needs. In Arizona, vouchers were used to pay for diamond rings and necklaces, kitchen appliances, and even lingerie,³¹ while in Florida families used these funds to pay for paddle boards, big-screen televisions, foosball tables, and trips to Disney World.³²

2. Vouchers Benefit Wealthy Families While Leaving Poor Kids Behind

Studies have repeatedly shown that vouchers largely subsidize the tuition of wealthy families who already attend expensive, selective private schools. In Arkansas, 95% of participating voucher students in 2023 never attended public school,³³ and in Florida, only 13% had previously attended public school.³⁴ The illusion of “school choice” is revealed for the lie that it is when so few students are actually using vouchers to leave their public schools.

In Florida, one quarter of state vouchers are going to families in the top income tier. These families use their \$8,000 vouchers to pay tuition at private schools that can cost more than \$20,000 a year.³⁵ For example, 98% of students attending a private Catholic school in a wealthy Central Florida community use taxpayer-funded vouchers to subsidize tuition costs. In response, this school and other similarly costly private schools have increased tuition costs. Likewise, in Iowa, private schools increased tuition by as much as 40% and required students who had previously received scholarships to apply for vouchers after the implementation of its universal private school voucher program.³⁶ Meanwhile, low- and middle-class families cannot afford to attend elite private schools, of which vouchers often cover less than half the cost—leaving families with the choice between the subprime private schools and increasingly underfunded public schools.

²⁷ Gus Garcia-Roberts, [McKay Scholarship Program Sparks a Cottage Industry of Fraud & Chaos](#), *Miami New Times* (June 23, 2011).

²⁸ Molly Beck, [State Paid \\$139 Million to Schools Terminated from Voucher Program Since 2004](#), *Wisc. State J.* (Oct. 12, 2014).

²⁹ Kris Nordstrom, [New Analysis Shows Many Private Schools in N.C. Have More Vouchers Than Students](#), *N.C. Justice Ctr.* (June 16, 2023).

³⁰ Hannah Wade, [SC Gave \\$1.5M in Scholarships to Students Who Didn't Qualify. State Oversight Agency Says](#), *The State* (Mar. 6, 2025).

³¹ Craig Harris, [I-TEAM: ESA parents bought diamond rings, lingerie, and Kenmore appliances with education tax dollars](#), *12News* (Aug. 18, 2025).

³² Jeffrey S. Solocheck, [Florida School Vouchers Can Pay for TVs, Kayaks and Theme Parks. Is That OK?](#), *Tampa Bay Times* (Sept. 1, 2023).

³³ Ark. Dep't of Educ., [Education Freedom Account Annual Report, 2023-2024 School Year](#) 8 (Sept. 20, 2023).

³⁴ Danielle Prieur, [Florida Policy Institute Asked for School Voucher Data. Here's What Step Up for Students Provided](#), *WMFE NPR* (Sept. 14, 2023).

³⁵ Annie Martin, [Millions Flow to Wealthy Families, Pricey Private Schools Under Florida's Supercharged Voucher Program](#), *Orlando Sent.* (Feb. 14, 2025).

³⁶ Jason Clayworth, [Iowa's Private Schools Dash For Cash](#), *Axios Des Moines* (May 17, 2023); Robin Opsahl, [Reynolds Not Concerned By Private Schools Raising Tuition Because of ESA Program](#), *Iowa Capital Dispatch* (May 11, 2023).

3. Vouchers Drain Public Funds

Private school vouchers result in skyrocketing costs. Voucher proponents claim that vouchers will cost less than or the same as funding public schools. However, once voucher programs take effect, costs quickly get out of control, leading to budget shortfalls, cuts to public school funds, and even tax increases.

In Arizona, where 75% of voucher users were already in private school, lawmakers underestimated the cost of voucher programs by about 1,100%. The voucher program was initially projected to cost \$65 million in 2023 but actually cost upwards of \$708 million, leading to a state budget crisis and requiring Arizona to make significant cuts to various state programs, including water and highway infrastructure and community college funding.³⁷

Other states have decreased funds to public schools while increasing budgets for voucher programs. The Florida Senate projected that its 2023 voucher expansion would cost the state \$646 million³⁸—the actual costs for Florida’s private education voucher program was more than \$4 billion for the 2024-25 school year and is estimated to be more than \$5 billion for the 2025-25 school year.³⁹ This is paid, in part, by diverting more than \$1 billion in public school funds each year.⁴⁰ Likewise, Ohio Governor Mike DeWine’s 2025 budget takes more than \$100 million from Ohio’s traditional public schools over the next two years, while costs for voucher programs and charter schools increased by \$500 million.⁴¹ In August 2025, a state court judge held that the program violates Ohio’s constitution’s requirement to fund “a system of common schools” because it creates a system of “uncommon private schools” while underfunding the public school system.⁴² And, Texas Governor Greg Abbott admitted that the state’s new voucher program could lead to less funding for public schools.⁴³

4. The Federal Voucher Program Will Benefit Wealthy Donors to the Detriment of Local Schools and Communities

President Trump’s July 2025 budget reconciliation bill created the first nationwide private school voucher program. The voucher program creates a mechanism for taxpayers to receive a dollar-for-dollar tax credit for donating up to \$1,7000 to scholarship-granting organizations. It is primarily geared toward providing vouchers to students to fund private school tuition. Taxpayers in all states and D.C.

³⁷ Hilary Wething, [How Vouchers Harm Public Schools](#), *Econ. Policy Inst.* (Dec. 19, 2024); Eli Hager, [School Vouchers Were Supposed to Save Taxpayer Money. Instead They Blew a Massive Hole in Arizona’s Budget](#), *ProPublica* (July 16, 2024).

³⁸ Lynn Hatter, [Florida Expands Its Voucher Program to Every Student, Regardless of Income](#), *NPR* (Mar. 24, 2023).

³⁹ Norín Dollard, [Florida FY 2025–26 Budget Summary: Education](#), *Fla. Policy Inst.* (Aug. 27, 2025).

⁴⁰ Norín Dollard & Esteban Leonardo Santis, [Federal Voucher System — Like Florida’s — Would Divert Funding to Private Schools and Home-Schoolers](#), *Fla. Policy Inst.* (May 29, 2025).

⁴¹ Morgan Trau, [Vouchers for Ohio Private Schools Score Double Funding Over Public Schools](#), *News 5 Cleveland* (Apr. 7, 2025).

⁴² *Columbus City Sch. Dist. v. State of Ohio*, 22CV000067, Case No. 22-CV-67 (Franklin Cty. Ct. of Common Pleas, June 24, 2025) (“[T]he State provides hundreds of millions of dollars in funding to private schools through EdChoice while at the same time Plaintiffs are unable to educate their students because the General Assembly decided not to fully fund public schools.”); see also Patrick O’Donnell, [Ohio Judge Rules State’s \\$700 Million Voucher Program Is Unconstitutional](#), *The74* (Jul. 17, 2025).

⁴³ Benjamin Wermund & Edward McKinley, [Texas Gov. Greg Abbott Says Vouchers Could Lead to Less Funding for Public Schools](#), *Hous. Chron.* (Feb. 13, 2025).

are eligible to utilize this tax credit program, but their contributions must be made to an organization located in a state that has opted into the program.⁴⁴

The provision establishing the program does not include an expiration date or revenue cap, meaning that the government will be forced to siphon unlimited amounts of taxpayer dollars for an unlimited amount of time towards private and religious schools. The Joint Committee on Taxation has estimated that, over 10 years, the program will add \$26 billion to the federal debt.⁴⁵ Other estimates are far higher.⁴⁶ This revenue should instead be used to invest in public education for 90% of the nation's children.

Moreover, by giving away a dollar-for-dollar tax credit, this program provides bigger tax benefits to individuals who give money for voucher programs than any other traditional charitable donation, which only garner a tax deduction. Thus, the program privileges contributions to private school vouchers over donations to charitable donations—it's 2-3 times more generous. As a result, organizations helping people in our local communities, like veterans organizations, homeless shelters, or food banks, could lose out.

Private School Vouchers Exclude and Discriminate

1. Vouchers Are Rooted in Discrimination and Perpetuate Segregation

Private school vouchers were first designed to evade desegregation orders in the wake of *Brown v. Board of Education*.⁴⁷

After *Brown*, Southern policymakers created voucher programs used to fund tuition at “segregation academies.” For example, in Prince Edward County, Virginia, officials opened whites-only private schools, gave out taxpayer-funded tuition vouchers, and shuttered the public school system entirely for five years.⁴⁸ In Virginia and Georgia, legislators and voters approved amendments to their state constitutions to fund “tuition grants”—just another name for vouchers—for families to attend all-white private schools.⁴⁹ Mississippi and South Carolina followed a similar playbook.⁵⁰

Each of these segregation voucher programs were sold using the same language that is being used to sell “school choice” today. Georgia’s law claimed to “advance the constitutional rights of school children to attend private schools of their choice in lieu of public schools.”⁵¹ The Alabama plan to give money to

⁴⁴ For further information on the program’s design and outstanding questions, see Nat’l Coalition for Pub. Ed., Memo Re: [Federal Tax Credit Voucher Program in Public Law 119-21](#) (Sept. 2, 2025).

⁴⁵ Congressional Budget Office, Estimated Budgetary Effects of Public Law 119-21, to Provide for Reconciliation Pursuant to Title II of H. Con. Res. 14, Relative to the Budget Enforcement Baseline for Consideration in the Senate (July 21, 2025).

⁴⁶ For example, the Institute on Taxation and Economic Policy estimates that the true cost could be far higher. Carl Davis, [Megabill Takes Cap Off Unprecedented Private School Voucher Tax Credit, Potentially Raising Cost by Tens of Billions Relative to Earlier Version](#), *Institute on Taxation & Economic Policy* (July 6, 2025).

⁴⁷ See Jon Hale, *The Choice We Face: How Segregation, Race, & Power Have Shaped America’s Most Controversial Education Reform Movement* (2021); Chris Ford, et al., [The Racist Origins of Private School Vouchers](#), *Ctr. for Am. Progress* (July 12, 2017).

⁴⁸ Hale at 34.

⁴⁹ *Id.* at 25.

⁵⁰ *Id.* at 24-25.

⁵¹ Steve Suits, *Overturning Brown: The Segregationist Legacy of the Modern School Choice Movement* 15 (2020).

white students to attend all white private schools was called the “Freedom of Choice Plan” and advocates claimed it “had nothing to do with segregation, but aimed to advance each child’s education.”⁵² Supporters of vouchers in North Carolina also avoided mentions of race and instead argued that the voucher program would create “competition” that “would stimulate progress in public education” and would “offer all our citizens the broadest possible freedom of choice.”⁵³

Private school voucher programs continue the segregationists’ legacy of discrimination even today. National data continue to show that private schools tend to be more segregated than similarly situated public schools and enroll higher populations of white students compared to public schools. Nationwide, 69% of private school students are white, 9% are Black, and 10% are Hispanic or Latino.⁵⁴ According to a study, 43% of private school students across the country attended deeply segregated schools where white students comprise 90% or more of the school’s enrollment.⁵⁵ When students of color receive vouchers, they are likely to attend deeply segregated private schools. For example, a study of a Milwaukee voucher program found that 85% of Black students in the voucher program attended schools with 90% or more non-white students, as opposed to around 77% of those in public schools.⁵⁶

2. Vouchers Harm Rural Students and Communities

Private school voucher programs are also harmful to rural students and communities. Vouchers do not provide actual choice for many students living in rural areas. While 92% of urban families have access to one or more private schools within five miles, only 34% of rural families have the same access.⁵⁷

When enrollment in rural public schools shrink—even if only by a few students—communities suffer. Rural public schools are the hub of community life serving as emergency shelters, gathering places, healthcare and food distribution centers, and polling locations. They are also often the largest employers in their communities.⁵⁸ Because the margins for operating a public school in rural communities are incredibly small, the departure of a few students can leave rural schools with fewer resources to provide educational instruction, non-instructional benefits, and employment opportunities for the communities. These communities then must figure out how else they can get the resources and services they need—or go without them.⁵⁹

3. Vouchers Strip Students of Civil Rights and Protections

Public schools are open to, and must serve, all students. Private schools, on the other hand, often leave students and families without the educational choices they purport to provide. They can deny students admission or expel these students for a host of reasons, such as their religion, sexual

⁵² *Id.* at 24-25.

⁵³ *Id.* at 42.

⁵⁴ Ke Wang et al., [School Choice in the United States: 2019](#), *Nat’l Ctr. for Educ. Stats.* 22 (Sept. 2019).

⁵⁵ Suits at 77.

⁵⁶ Lisa Kaiser, [Still Separate, Still Unequal](#), *Shepherd Express* (May 14, 2014).

⁵⁷ Kristin Blagg & Matthew M. Chingos, [Who Could Benefit From School Choice? Mapping Access to Public and Private Schools](#), 2 *Brookings Evidence Speaks Reports* #12 (Mar. 30, 2017).

⁵⁸ See, e.g., Allen Pratt, [As a Tennessee Rural Educator, I Fear That School Voucher Expansion Will Hurt Our Children](#), *The Tennessean* (Feb. 28, 2024).

⁵⁹ For example, in West Virginia, declining student enrollment (in part due to the state’s voucher program) has led to the closure of 53 schools in the previous five years, and the planned closure of an additional 25 schools. The closure of local high schools has devastated towns. Amelia Ferrell Knisley, [West Virginia School Board Approves More Closures](#), *The74* (Dec. 14, 2024).

orientation, gender identity, academic abilities, or disability status.⁶⁰ Often, families who receive a voucher will find themselves without any choice at all when private schools refuse to accept their child.

Private schools do not abide by the same civil rights requirements as public schools, including those in federal civil rights laws such as in Titles IV and VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, the Individuals with Disabilities Education Act, Title II of the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973. Students who attend private schools do not have the same free speech and religious freedom protections under the First Amendment, the same due process or other constitutional and statutory rights guaranteed to them as in public schools, or the same clear systems for oversight, reporting violations, or enforcing penalties for noncompliance as children and families attending public schools.

For students with disabilities, the consequences of losing the rights and protections provided in public schools are often especially damaging. Private schools accepting vouchers do not provide students with disabilities with the same quality and quantity of services available to students in public schools, including those mandated under each student's Individualized Education Program (IEP). Students who leave the public schools with a voucher forfeit many of the protections provided to students under the Individuals with Disabilities Education Act (IDEA)—including the right to a Free Appropriate Public Education (FAPE) tailored to their individual needs—because they are considered parentally placed in private schools. In many cases, students with disabilities are often categorically excluded from private school voucher programs because private schools cannot adequately serve them and there are no federal protections that require private schools to do so.

LGBTQ+ children and children with LGBTQ+ families also face disproportionate discrimination in voucher programs. Many private voucher schools teach anti-LGBTQ+ curriculum⁶¹ and promote harmful conversion therapy for LGBTQ+ students.⁶² Discrimination against LGBTQ+ students in voucher programs is widespread: for example, a 2023 survey of Wisconsin private schools receiving voucher funds found that about 40% of schools had policies discriminating against LGBTQ+ students.⁶³ Reports from Florida,⁶⁴ Pennsylvania,⁶⁵ and North Carolina have also documented voucher-funded private schools' discrimination against LGBTQ+ students.⁶⁶

⁶⁰ See, e.g., *Columbus City Sch. Dist. v. State of Ohio*, 22CV000067, Case No. 22-CV-67 (Franklin Cty. Ct. of Common Pleas, June 24, 2025) at *11 ("A significant proportion of the non-public schools receiving EdChoice funding [in Ohio] are religious schools. Many of these religious schools reserve the right to reject applicants, including those seeking admittance with assistance from an EdChoice voucher because of: (1) behavioral or academic problems; (2) sexual preference; (3) religious or moral beliefs; (4) physical or emotional disability.")

⁶¹ Samantha Sunne & Donnell Suggs, [Some Ga. Tax Credit Scholarships Go to Anti-LGBT Schools](#), *The Current* (July 1, 2021) (Georgia private schools that accept vouchers have explicit anti-LGBTQ+ written policies (15 of 100 participating schools) and teach anti-LGBTQ+ curricula that would not be permitted in public schools (at least 12 participating schools)).

⁶² Rebecca Klein, [Millions Of Taxpayer Dollars Are Going to Schools that Push Conversion Therapy](#), *HuffPost* (June 10, 2020) (Florida private schools accepting millions in taxpayer-funded vouchers promote conversion therapy for LGBTQ+ students).

⁶³ Phoebe Petrovic, ['Unwanted and Unwelcome': Anti-LGBTQ+ Policies Common at Wisconsin Voucher Schools](#), *Wisc. Watch* (May 31, 2023).

⁶⁴ Leslie Postal & Annie Martin, [Anti-LGBT Florida Schools Getting School Vouchers](#), *Orlando Sent.* (Jan. 23, 2020).

⁶⁵ Catherine Caruso, [Pennsylvania Taxpayers Are Funding Discriminatory Religious Schools](#), *New Republic* (May 2, 2024).

⁶⁶ Public Schools First NC, [How NC Tax Dollars Are Used to Discriminate Against Students and Families](#) (Jul. 2023).

4. Vouchers Violate Religious Freedom

Voucher programs predominantly fund students to attend private, religious schools. For example, studies of Indiana's voucher program found that 98% of participating schools were religious;⁶⁷ in the Arkansas voucher program, 87% of participating schools were religious;⁶⁸ and in the D.C. voucher program, 81% of participating students attended religious schools.⁶⁹ This conflicts with one of the most dearly held principles of religious freedom: the government should not compel anyone to fund religion, especially one with which they disagree. Parents certainly may choose a religious education for their children, but they may not demand that the taxpayers foot the bill.

Nor should taxpayer dollars be used to fund schools that can refuse to admit students or hire employees based on their religion. Yet many religious schools impose a religious litmus test on students, teachers, and their families. Furthermore, because oversight must accompany public funds, vouchers threaten the autonomy of religious schools by opening them up to government audits, control, and interference.

Conclusion

Subsidizing private schools with taxpayer-funded vouchers and transforming private schools into public schools do not solve the real challenges that public schools face. Rather than funneling taxpayer money into programs that have proven to be discriminatory, unsuccessful, and unaccountable, we would best serve the nation's students by ensuring that public funds remain in public schools.

Sincerely,



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⁶⁷ Laura Meckler & Michelle Boorstein, [Billions in Taxpayer Dollars Now Go to Religious Schools Via Vouchers](#), *Wash. Post* (June 3, 2024).

⁶⁸ Steve Brawner, [Eighty-Four Private Schools Approved for LEARNS Money](#), *Magnolia Rep.* (Aug. 3, 2023).

⁶⁹ U.S. Dep't of Ed., [Evaluation of the D.C. Scholarship Program: An Early Look at Applicants and Participating Schools Under the SOAR Act](#), 10, 29 (2014).